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Attorneys for the Clayton Act Plaintiffs
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:)	Case No: 11-15463-SHL
)	
AMR CORPORATION, et al.)	Chapter 11
)	
Debtors,)	(Jointly Administered)
)	
)	Adversary No. 13-01392-SHL
Carolyn Fjord, Katherine R. Arcell, Keith Dean)	
Bradt, Judy Bray, Jose' M. Brito, Jan Marie)	DECLARATION OF GIL D.
Brown, Robert D. Conway, Judy Crandall,)	MESSINA
Rosemary D'Augusta, Brenda K. Davis,)	
Pamela Faust, Don Freeland, Donald V. Fry,)	
Gabriel Garavanian, Harry Garavanian,)	
Yvonne Jocelyn Gardner, Lee M. Gentry,)	
Valarie Ann Jolly, Gail S. Kosach, Michael C.)	
Malaney, Len Marazzo, Lisa McCarthy,)	
Patricia Ann Meeuwsen, L. West Oehmig, Jr.,)	
Cynthia Prosterman, Deborah M. Pulfer, Dana)	
L. Robinson, Robert A. Rosenthal, Bill)	
Rubinsohn, Sondra K. Russell, Sylvia N.)	
Sparks, June Stansbury, Clyde D. Stensrud,)	
Wayne Taleff, Gary Talewsky, Annette M.)	
Tippetts, Diana Lynn Ultican, J. Michael)	
Walker, Pamela S. Ward, Christine O. Whalen,)	
)	
Plaintiffs,)	
)	
v.)	
)	
AMR Corporation, American Airlines, US)	
Airways Group, Inc. and US Airways, Inc.,)	
)	
Defendants.)	
)	

I, Gil D. Messina, do hereby declare under the pains and penalties of perjury of the United States as follows:

1. I am an attorney at law, licensed to practice in the State of New Jersey and Commonwealth of Massachusetts. I am one of the attorneys for the plaintiffs in this adversary proceeding. I have previously been admitted to practice *pro hac vice* by the Court in this case. I have personal knowledge of the facts stated below.

2. On October 9 or 10, 2018, I spoke by telephone with the defendants' counsel, Sadik Huseny, and informed him that the plaintiffs intended to serve an updated and supplemental report by plaintiffs' expert Dr. Carl Lundgren.

3. Following our conversation, on October 15, 2018, I e-mailed counsel the letter, a copy of which is attached to this Declaration as Exhibit A, in which I confirmed the plaintiffs' intention to serve Dr. Lundgren's report by November 5, 2018.

4. During our conversation, although Mr. Huseny expressed his opposition to plaintiffs serving the report, we agreed that plaintiffs would not serve it until after a proposed trial schedule had been finalized and submitted to the Court for its consideration. Therefore, the plaintiffs changed the date for serving the report to November 12, 2018, which is the date stated in the parties' joint letter to the Court dated November 8, 2018 (Doc. 178). During our conversation, defendants' counsel did not express a desire to depose Dr. Lundgren (although I offered to produce him for a deposition), or to respond to his report.

5. Dr. Lundgren's updated and supplemental report was served on November 12, 2018, as plaintiffs proposed.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 26, 2018
Holmdel, NJ



Gil D. Messina

COUNSEL FOR PLAINTIFFS

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EXHIBIT A

MESSINA LAW FIRM

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October 15, 2018

Sadik Huseny, Esq.
Latham & Watkins, LLP
505 Montgomery Street
Suite 2000
San Francisco, CA 94111

Via Email

Re: *Fjord, et al. v. AMR Corporation, et al.*
Adversary No.: 13-01392 (SHL)

Dear Sadik:

Thank you for the call last week. Now that we have the proposal to start this trial during the week of February 11, 2019, I am proposing the following schedule.

As I said, the plaintiffs intend to call Douglas Parker as their first witness. You have said he is available on February 14 and 15 (and possibly February 13). Our proposal is to have the openings and then proceed directly to Mr. Parker's examination. This would mean starting the trial on either February 14 or 15 (possibly February 13), with the expectation of a four day trial, carrying over to the following week.

Service of Updated/Supplemental Expert Report: The plaintiffs will serve an updated and supplemental expert report by November 5, 2018.

Exchange of Witness Lists: Friday, December 7, 2018.

Exchange of Trial Exhibit Lists, Depo Designations, Etc.: Parties to file deposition designations, proposed stipulations, and exhibit lists on Monday, January 18, 2019.

Counter-Designations and Objections to Designations and Exhibit Lists: Friday, January 25, 2019.

Final Pretrial Conference: Subject to Judge Lane's approval, the final pretrial can be held February 11, 2019, with a joint pretrial order lodged with the Court on the same date, with the trial start date February 13 or 14 (depending on Mr. Parker's availability).

Trial: Start February 13 or 14, and conclude on February 19 or 20 (February 18 is a court holiday), with closing arguments on February 21.

LAW OFFICES
MESSINA LAW FIRM

Sadik Huseny, Esq.
October 15, 2018
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Proposed Findings of Fact and Conclusions of Law: As directed by the Court after trial.

Trial Briefs: As may be directed by the Court, either pre- or post-trial.

Please let me have your response at your earliest convenience so we can schedule a call with the Court.

Sincerely yours,

s/ Gil D. Messina
Gil D. Messina

GDM/hs

cc: Plaintiffs' Counsel